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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Feb 13, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

LUIS B.,<sup>1</sup>

Plaintiff,

v.

MICHELLE KING, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:24-CV-03128-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g) AND CLOSING FILE**

**ECF Nos. 8, 13**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 13, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). D. James Tree represents Plaintiff. Special Assistant United States Attorneys L. Jamala Edwards and David Burdett represent Defendant.

<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 13**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the

4 Commissioner of Social Security for further administrative proceeding pursuant to

5 sentence four of 42 U.S.C. § 405(g).

6 The parties have stipulated to the following:

7 On remand, the Commissioner shall:

- 8 • Reassess the evidence;
- 9 • Offer Plaintiff the opportunity for a new hearing;
- 10 • Take any further action needed to complete the administrative record;
- 11 and
- 12 • Issue a new decision.

13 *See* ECF No. 13 at 2.

14 3. Judgment shall be entered for **PLAINTIFF**.

15 4. Plaintiff's Opening Brief, **ECF No. 8**, is **STRICKEN AS MOOT**.

16 5. Upon proper presentation, this Court will consider Plaintiff's application  
17 for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

18 The District Court Executive is directed to enter this Order, **enter**

19 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

1 DATED February 13, 2025.

2 s/Mary K. Dimke

3 MARY K. DIMKE

4 UNITED STATES DISTRICT JUDGE